

RESPONSE TO THE REJECTION

The sole ground of rejection in this Application is a rejection under 35 USC 102(e) with respect to common assignee's U.S. Patent No. 6,664,038 (Ceruti et al.)

In the Office Action, one method for overcoming the rejection was a showing under 37 C.F.R. 1.132 was derived from the inventor of this Application. Applicants have complied therewith.

Accompanying this Amendment are the declarations of Gianluigi Molinari, Luca Ceruti and Ivo Zullo, inventors on the Ceruti et al. Patent, U.S. Patent No. 6,664,038.

The Declarations by inventors on the Ceruti patent (US 6,664,038) assert that the subject matter of the claims in US Patent Application Serial No. 10/696,893 (the present application) that was disclosed in the Ceruti patent, but not claimed in the Ceruti Patent was "derived from Luca Ceruti and Simona Fava in contemporaneous work performed among the four inventors."

This statement is highly consistent with the obvious fact, even beyond the scope of the subject matter, that the present application and the Ceruti Patent share one inventor, so that the common awareness of subject matter between the different inventorship entities of the two Patent Documents was inherent.

Applicants have met their burden of a showing under 37 C.F.R. 1.132 in this Application, and the rejection of record should be withdrawn.

Conclusion

The rejection of record has been overcome by the present response and the accompanying Declarations. The rejection should be withdrawn and all claims allowed.

Luca Ceruti et al.

By their Representative

MARK A. LITMAN & ASSOCIATES, P.A.

York Business Center, Suite 205, 3209 W. 76th St.
Edina, MN 55435 (952-832-9090)

By: 

Atty: Mark A. Litman

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